

Amendments to the Drawings:

The attached replacement drawing sheets provide formal drawings for Figs. 1-7.

Attachment: Replacement Sheets (6)

REMARKS

Claims 1-24 are pending in this application. By this Amendment, the Specification and Drawings are amended and claims 19 -24 are added. Support for amended paragraph [0020] can be found, for example, in original claims 5,11 and 17. No new matter has been added. In consideration of the following, reconsideration of the application is respectfully requested.

I. Objection to the Drawings

The Office Action objects to Figures 1-7 as allegedly not being properly labeled as prior art under MPEP §608.02(g), because only that which is old is illustrated. Applicant respectfully submits amended Drawings to comply with MPEP §608.02(g). Accordingly, reconsideration and withdrawal of the objections are respectfully requested.

The Office Action also objects to the Drawings as allegedly failing to comply with 37 CFR 1.84(p)(5) because they include reference characters not included in the description. Applicant notes that the Office Action's citation of RS₂ and RB₂ as examples of reference characters not included in the description is erroneous. RS₂ and RB₂ clearly appear in the Specification, for example at least at [0057].

Applicant has further reviewed the description and corresponding Drawings for any discrepancies, and has amended the Specification and Drawings accordingly.

Applicants respectfully submit that the Drawings and Specification comply with 37 CFR 1.84(p)(5). Accordingly, reconsideration and withdrawal of the objection are respectfully requested.

II. Information Disclosure Statement

The Office Action provides that the listing of references in the Specification is not a proper Information Disclosure Statement. A proper Information Disclosure Statement has been filed concurrently herewith to submit for consideration all references cited in the Specification that have not all ready been cited to or by the Examiner. Consideration of the references is respectfully requested.

III. Rejection Under 35 U.S.C. §112

The Office Action rejects claims 1-12 and 17 under 35 U.S.C §112, second paragraph, as allegedly being indefinite.

The Office Action asserts that "the aperture" lacks antecedent basis in claims 1 and 7. However, Applicant respectfully submits that "the aperture" has proper antecedent basis in claim 1, which reads in pertinent part "conveying a base resin to an aperture" (emphasis added).

The Office Action also asserts that features of claims 1, 7, and 13 contradict features of claims 5, 11, and 17 with respect to where initiator is added. Applicant submits that chemical initiator can be added to the base resin at any one, some or all points in the toner production cycle such that initiator addition is not confined to "within the extruder" as the Office Action suggests. Paragraph [0033] and amended paragraph [0020] of the Specification provide additional support and clarification for this contention.

For at least the reasons stated above, Applicants respectfully submit that the current claims satisfy the requirements of 35 U.S.C. §112, second paragraph. Accordingly, reconsideration and withdrawal of the rejections are respectfully requested.

IV. Rejections Under 35 U.S.C. §103

Claims 1-4, 6-10, 12-16 and 18 are rejected under 35 U.S.C. §103(a) as allegedly being unpatentable over U.S. Patent No. 5,686,219 to Higuchi (Higuchi) in view of WO 99/43886 to Meinander (Meinander). This rejection is respectfully traversed.

The Office Action acknowledges that Higuchi fails to teach or suggest the lead-in gap at a feed port end of the conveyor in the methods of claims 1, 7 and 13, but alleges that Meinander suggests such a lead-in gap.

Applicant respectfully submits that the lead-in gap featured in claims 1, 7 and 13 is not taught by the combination of Higuchi in view of Meinander. Foremost, the claimed lead-in gap is located at the point where the resin enters the conveyor. See, for example, Figures 8 and 9, illustrating a lead-in gap 300. By contrast, Meinander discloses a "wedge-like inlet" formed from the bottom of an entry feed trough designed "as semi-cylinders following the shape of the spiral cylinders and having a tangential transition to the trough side" (page 15, lines 7-11). The inlet is not at a feed port end of a conveyor. Moreover, Meinander describes a design for use in catching and treating waste paper and does not teach or suggest any utility for preventing toner from lumping during manufacturing as in Higuchi. Therefore, there is no motivation to combine Meinander with Higuchi, because Meinander and Higuchi represent independent and distinct fields of art.

Thus, neither Higuchi nor Meinander anticipates the claimed invention and it is unreasonable to assert either Higuchi or Meinander, alone or in combination, would have rendered the claimed invention obvious to one ordinarily skilled in the art.

Claims 5, 11 and 17 are rejected under 35 U.S.C. §103(a) as allegedly being unpatentable over Higuchi in view of Meinander, and further in view of U.S. Patent No. 5,397,671 to Bayley (Bayley). This rejection is respectfully traversed.

The Office Action asserts that Higuchi and Meinander teach the subject matter of claims 1, 7 and 13. The Office Action also asserts that Bayley teaches that when an initiator is solid, it is preferable if the base resin and initiator are preblended. However, as discussed above, Higuchi and Meinander, alone or in combination, do not disclose or render obvious all of the features of claims 1, 7 and 13. Thus, Bayley, alone or in combination, with Higuchi and Meinander can not have rendered obvious the features of the dependent claims.

For at least the reasons stated above, Applicants respectfully submit that independent claims 1, 7, 13 and all claims that depend therefrom overcome the 35 U.S.C. §103(a) rejections. Accordingly, reconsideration and withdrawal of the rejections are respectfully requested.

V. Conclusion

In view of the foregoing, it is respectfully submitted that this application is in condition for allowance. Favorable reconsideration and prompt allowance of claims 1-18 is earnestly solicited.

Should the Examiner believe that anything further would be desirable in order to place this application in even better condition for allowance, the Examiner is invited to contact the undersigned at the telephone number set forth below.

Respectfully submitted,


James A. Oliff
Registration No. 27,075

Joel S. Armstrong
Registration No. 36,430

JAO:CJW/tbm

Date: December 7, 2006

OLIFF & BERRIDGE, PLC
P.O. Box 19928
Alexandria, Virginia 22320
Telephone: (703) 836-6400

<p>DEPOSIT ACCOUNT USE AUTHORIZATION Please grant any extension necessary for entry; Charge any fee due to our Deposit Account No. 15-0461</p>
